

## Rezoning Application

757 Carolyn Avenue, Columbus, Ohio 43224  
Phone: 614-645-7433 • www.bzs.columbus.gov

OFFICE USE ONLY

Application Number: 215-0340 Date Received: 8/4/15

Application Accepted by: ET Fee: \$2340

Comments: Assigned to Shannon Pine 645-2208

spine@ columbus.gov

### LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes only): 5130 Morse Road Zip: \_\_\_\_\_

Is this application being annexed into the City of Columbus? Select one: ☐ YES ☐ NO

**If the site is currently pending annexation, Applicant must show documentation of County Commissioner's adoption of the annexation petition.**

Parcel Number for Certified Address: 220-000149 / 220-000153

☐ Check here if listing additional parcel numbers on a separate page.

Current Zoning District(s): Rural - Township Requested Zoning District(s): C-2

Area Commission or Civic Association: Northland Community Council

Proposed Use or reason for rezoning request (continue on separate page if necessary):

Professional Office Use

Proposed Height District: 35' [per Columbus City Code Section 3309.14] Acreage: 3.3± acres

### APPLICANT:

Name: Dennis Koon & Sam Kahwach Phone Number: 614-638-2034 Ext.: \_\_\_\_\_

Address: 5645 Rocky Shore Drive City/State: Lewis Center, OH Zip: 43035

Dennis Koon: dennis.koon@nggw@statefarm.com

Email Address: Sam Kahwach: hkahwach@aol.com Fax Number: \_\_\_\_\_

### PROPERTY OWNER(S) ☐ Check here if listing additional property owners on a separate page

Name: Derrer Road LLC c/o Keena Briggs Phone Number: (614) 886-1410 Ext.: \_\_\_\_\_

Address: 8413 Kiernan Drive City/State: New Albany, OH Zip: 43054

Email Address: \_\_\_\_\_ Fax Number: \_\_\_\_\_

### ATTORNEY / AGENT (Check one if applicable): ☒ Attorney ☐ Agent

Name: David L. Hodge Phone Number: (614) 221-4255 Ext.: \_\_\_\_\_

Address: Smith & Hale LLC  
37 West Broad Street, Suite 460 City/State: Columbus, OH Zip: 43215

Email Address: dhodge@smithandhale.com Fax Number: (614) 221-4409

### SIGNATURES (All signatures must be provided and signed in blue ink)

APPLICANT SIGNATURE Dennis Koon & Sam Kahwach By: [Signature]

PROPERTY OWNER SIGNATURE Derrer Road LLC By: [Signature]

ATTORNEY / AGENT SIGNATURE [Signature]

*My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that the City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me/my firm/etc. may delay the review of this application.*

**PLEASE NOTE: Incomplete information will result in the rejection of this submittal.**

Applications must be submitted by appointment. Call 614-645-4522 to schedule.

Please make checks payable to the Columbus City Treasurer

## Rezoning Application

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**AFFIDAVIT** (See instruction sheet)

Application Number: 215-0346

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME David L. Hodge  
of (1) MAILING ADDRESS Smith & Hale LLC, 37 West Broad Street, Suite 460, Columbus, OH 43215

deposes and states that (he/she) is the applicant, agent, or duly authorized attorney for same and the following is a list of the name(s) and mailing address(es) of all the owners of record of the property located at

(2) per ADDRESS CARD FOR PROPERTY 5130 Morse Road

for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) 8/4/15

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME  
AND MAILING ADDRESS

(4) Dennis Koon, 5645 Rocky Shore Dr., Lewis Center, OH 43035

Sam Kahwach, 8774 Swisher Creek Crossing  
New Albany, OH 43054 Phone: 614-282-6484

APPLICANT'S NAME AND PHONE #  
(same as listed on front application)

Derrer Road LLC  
(614) 886-1410

AREA COMMISSION OR CIVIC GROUP  
AREA COMMISSION ZONING CHAIR  
OR CONTACT PERSON AND ADDRESS

(5) Northland Community Council  
Emmanuel Remy  
P.O. Box 297836, Columbus, OH 43229

and that the attached document (6) is a list of the **names** and **complete mailing addresses**, including **zip codes**, as shown on the **County Auditor's Current Tax List or the County Treasurer's Mailing List**, of all the **owners of record of property within 125 feet** of the exterior boundaries of the property for which the application was filed, **and** all of the owners of any property within 125 feet of the applicant's or owner's property in the event the applicant or the property owner owns the property contiguous to the subject property (7)

(8) SIGNATURE OF AFFIANT

David Hodge

Sworn to before me and signed in my presence this 31<sup>st</sup> day of July, in the year 2015

Natalie C Timmons

(8) SIGNATURE OF NOTARY PUBLIC

9/4/15  
My Commission Expires



Here Natalie C. Timmons  
Notary Public, State of Ohio  
My Commission Expires 09-04-2015

*This Affidavit expires six (6) months after the date of notarization.*

**PLEASE NOTE: Incomplete information will result in the rejection of this submittal.**

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**Please make checks payable to the Columbus City Treasurer**

**APPLICANTS**

Dennis Koon  
5645 Rocky Shore Drive  
Lewis Center, OH 43035

Sam Kahwach  
8774 Swisher Creek Crossing  
New Albany, OH 43054

215-034  
**PROPERTY OWNER**

Derrer Road LLC  
c/o Keena Briggs  
8413 Kiernan Drive  
New Albany, OH 43054

**AREA COMMISSION**

Northland Community Council  
Attn: Emmanuel Remy  
P.O. Box 297836  
Columbus, OH 43229

**ATTORNEY**

David Hodge  
Smith & Hale LLC  
37 West Broad Street, Suite 460  
Columbus, OH 43215

**SURROUNDING PROPERTY OWNERS**

Carl H & Karen L Kirchhoff Tr.  
6105 Bickford Lane  
Columbus, OH 43230

H Wayne & Diane K Jones  
6113 Bickford Court  
Columbus, OH 43230

Veronica S Rogers  
6117 Bickford Court  
Columbus, OH 43230

William J & Mary J Haberman  
6121 Bickford Court  
Columbus, OH 43230

LC Preserve Crossing LLC  
230 West Street, Suite 200  
Columbus, OH 43215

Pizzuti/Stoneybrook Medical  
Center LLC  
2 Miranova Place, Suite 800  
Columbus, OH 43215

Village Communities Corp.  
470 Olde Worthington Road  
Westerville, OH 43082



## Rezoning Application

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### PROJECT DISCLOSURE STATEMENT

Parties having a 5% or more interest in the project that is the subject of this application.

**THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED.** Do not indicate 'NONE' in the space provided.

APPLICATION #

215-036

STATE OF OHIO  
COUNTY OF FRANKLIN

David L. Hodge

Being first duly cautioned and sworn (NAME) \_\_\_\_\_  
of (COMPLETE ADDRESS) Smith & Hale LLC, 37 West Broad Street, Suite 460, Columbus, OH 43215  
deposes and states that (he/she) is the APPLICANT, AGENT, OR DULY AUTHORIZED ATTORNEY FOR SAME and the following  
is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the subject of  
this application in the following format:

Name of business or individual  
Business or individual's address  
Address of corporate headquarters  
City, State, Zip  
Number of Columbus based employees  
Contact name and number

1. Dennis Koon 5645 Rocky Shore Drive Lewis Center, OH 43035	2. Sam Kahwach 8774 Swisher Creek Crossing New Albany, OH 43054
3. Derrer Road LLC c/o Keena Briggs 8413 Kiernan Drive New Albany, OH 43054	4.

SIGNATURE OF AFFIANT

David Hodge

Sworn to before me and signed in my presence this 31<sup>st</sup> day of July, in the year 2015

SIGNATURE OF NOTARY PUBLIC

My Commission Expires

9/4/15



Notary Seal Here  
**Natalie C. Timmons**  
Notary Public, State of Ohio  
My Commission Expires 09-04-2015

*This Project Disclosure expires six (6) months after the date of notarization.*

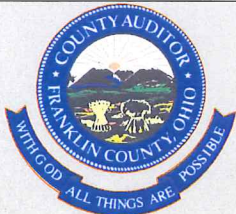
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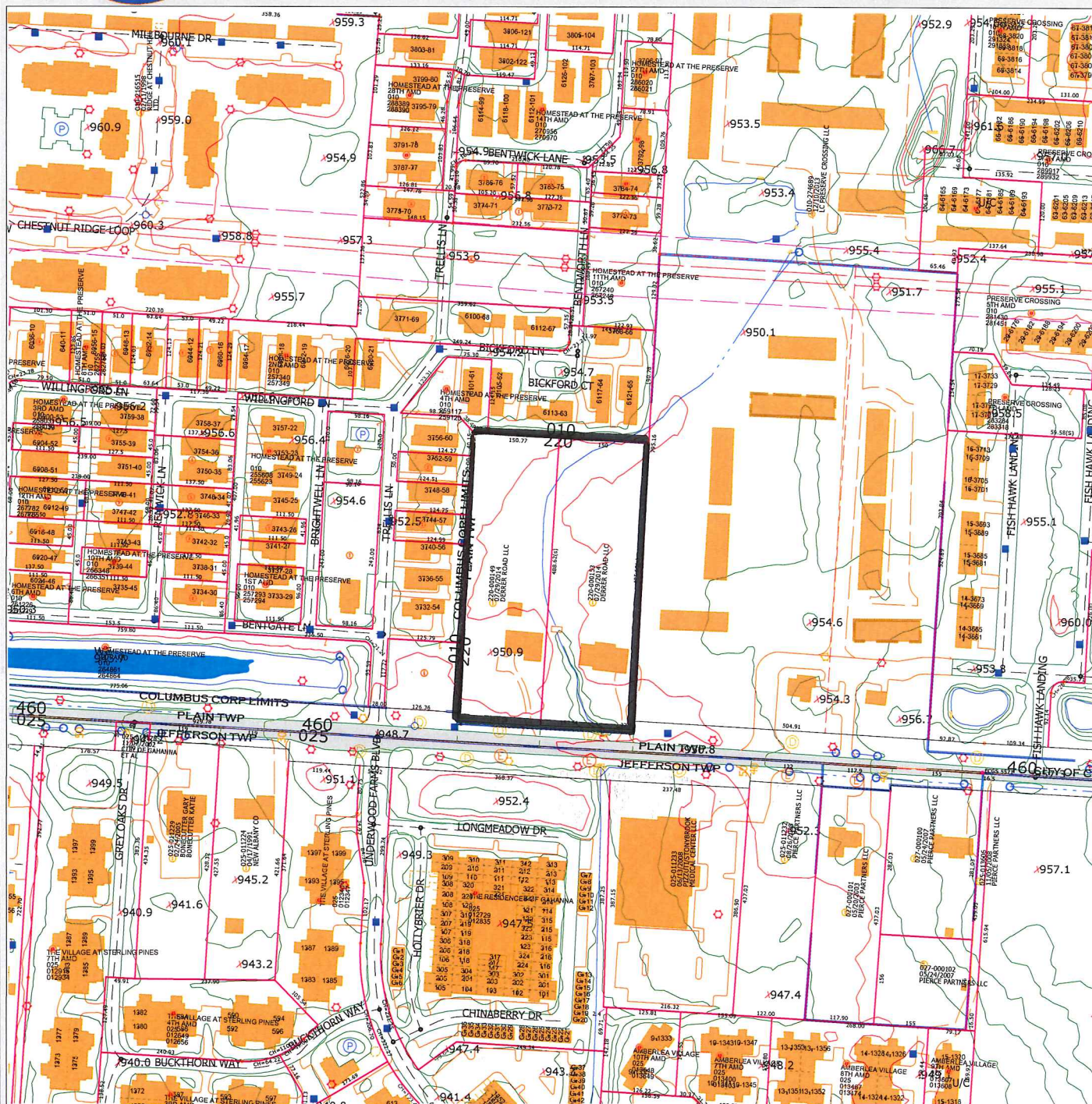
215-034



# CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: S

DATE: 8/3/15



Disclaimer

Scale = 250



This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on this map. The county and the mapping companies assume no legal responsibilities for the information contained on this map. Please notify the Franklin County GIS Division of any discrepancies.

Real Estate / GIS Department





# City of Columbus Zoning Plat



215-034

## ZONING NUMBER

The Zoning Number Contained on This Form  
is Herein Certified to Obtain Zoning, Rezoning,  
and Variances, and is NOT to be Used for  
the Securing of Building & Utility Permits

Parcel ID: 220000149 & 220000153

Zoning Number: 5130

Street Name: MORSE RD

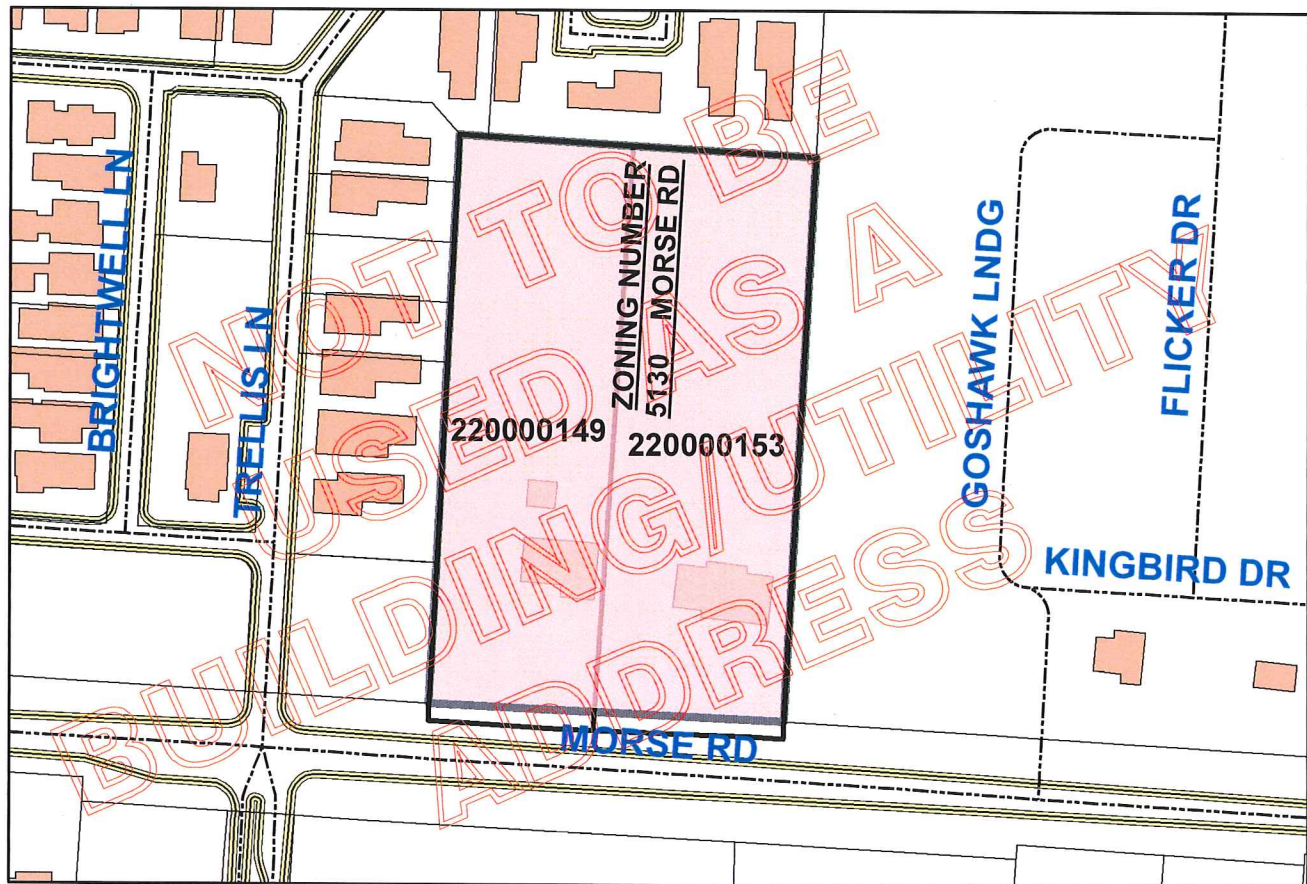
Lot Number: N/A

Subdivision: N/A

Requested By: SMITH & HALE (LIESEL SCHMADER)

Issued By: Adriana Williams

Date: 7/24/2015



SCALE: 1 inch = 160 feet

JAMES D. YOUNG, P.E., ADMINISTRATOR  
DIVISION OF INFRASTRUCTURE MANAGEMENT  
COLUMBUS, OHIO

GIS FILE NUMBER: 39478



215-034

### Legal Description

Situated in the State of Ohio, County of County of Franklin, Plain Township, Quarter Section 3, Township 2, Range 16, U.S. Military Lands, and being all of a 1.0824 acre tract as conveyed to Derrer Road, LLC as recorded in Instrument No. 201012220174071, and being all of a 1.8058 acre tract as conveyed to Derrer Road, LLC as recorded in Instrument No. 201012220174070, containing 3.608 acre and being further described as follows:

Beginning in the easterly line of the existing City of Columbus Corporation line as shown in Ordinance No. 639-89 as recorded in O.R. 13292, Pg. D07, and being a northeasterly corner of the existing City of Columbus 0.253 acre tract as recorded in Instrument No. 201407290097673, said point being on the northerly line of Morse Rd. (width varies);

Thence Northerly 489' along the easterly line of said City of Columbus Corporation line (Ordinance No. 639-89), being the easterly line of Homestead at the Preserve Condominiums as recorded in Condo P.B. 129, Pg. 34 (4<sup>th</sup> Amendment), Condo. P.B. 129, Pg. 34, Condo. P.B. 89, Pg. 29, Condo. P.B. 93, Pg. 47 (3<sup>rd</sup> Amendment), Condo. P.B. 89, Pg. 29, Condo. P.B. 92, Pg. 17 (2<sup>nd</sup> Amendment) & Condo. P.B. 89, Pg. 29 to a point;

Thence Easterly 300' along a southerly line of said City of Columbus Corporation line, being the southerly line of said Homestead at the Preserve Condominiums as recorded in Condo P.B. 96, Pg. 13 (14<sup>th</sup> Amendment), Condo. P.B. 89, Pg. 29 to a point;

Thence Southerly 486' along a westerly line of said existing City of Columbus Corporation line as shown in Ordinance No. 1988-04, being the westerly line of a tract of land as conveyed to LC Preserve Crossing, LLC as recorded in Instrument No. 201312100202911 to a point in the northerly line of said Morse Rd.

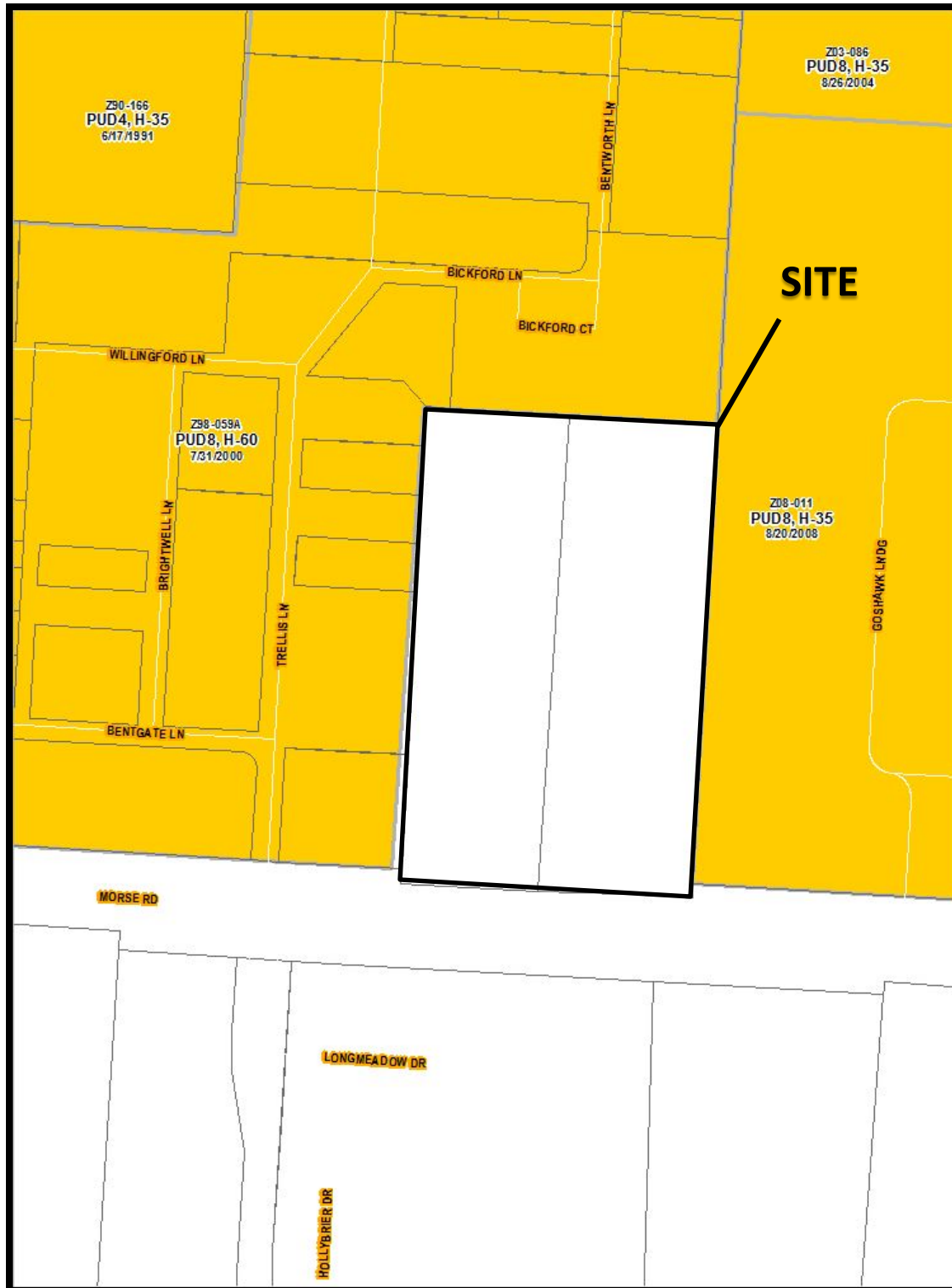
Thence along the northerly line of said existing City of Columbus 0.253 acre tract, being the north line of said Morse Rd., the following 3 courses and distances:

Westerly 26', to a point;

Westerly 158', to a point;

Westerly 115', to the true place of beginning, Containing 146100 square feet, 3.354 acres, more or less. Being all of PPN 220-000149-00 & 220-000153-00. This description was prepared from Franklin County Recorder's Office documents is not valid for the transfer of real property, and is not to be utilized in place of a Boundary Survey as defined by the Ohio Administrative Code in Chapter 4733-37.





Z15-036  
5130 Morse Road  
Approximately 3.3 acres  
R (pending annexation) to C-2

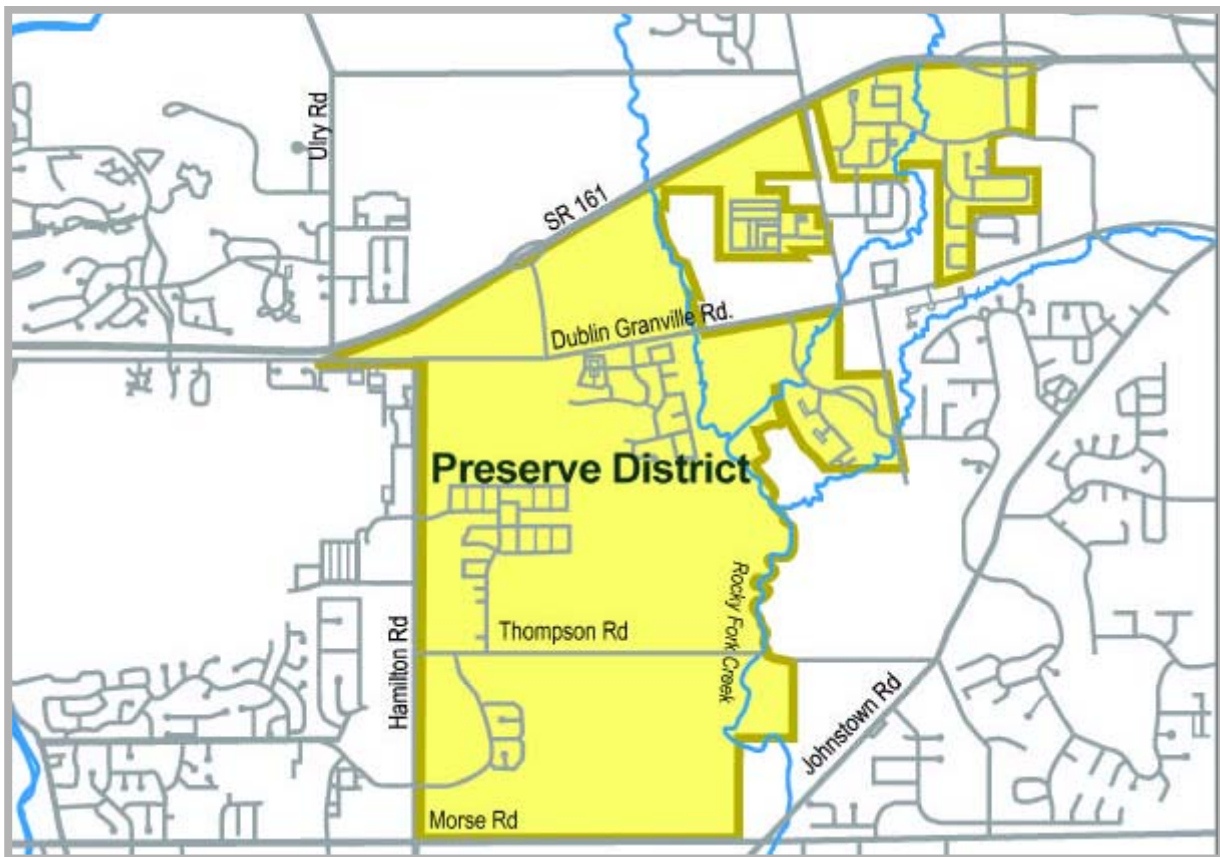


## Preserve District

This district is located east of Hamilton Road, north of Morse Road and follows the Columbus city limits east to the village of New Albany. A significant portion of this district is undeveloped, however, almost the entire district has previously been annexed and zoned in the city of Columbus.

The largest single zoning in the district is the Preserve Master Plan, a nearly 1,000-acre development east of Hamilton Road. This plan will incorporate single and multi-family residences, provisions for open space, portions of a golf course, and some commercial uses. Hamilton Road will eventually be extended in the northwest corner of this district. There is commercial and multi-family zoning in place where this road will be located.

Zoning on several parcels near SR-161, north of Dublin-Granville Road, ranges from LM2, limited manufacturing, to LC4, limited commercial. Preliminary private sector plans for these parcels call for a mixed-use development with retail, single and multi-family residential, and office uses.



*Preserve District*



***It is the recommendation of Northland Plan – Volume II that:***

- *The current residential pattern of development east of Hamilton Road, south of Old Dublin-Granville Road be continued, with single-family residential encouraged.*
- *Future redevelopment or rezoning of larger parcels between SR-161 and Dublin Granville Road, currently zoned in Columbus, adhere to the Northland Development Standards. State Route 161 bisects a property of approximately 140 acres zoned LM2 in Columbus. The southernmost LM2 parcel falls within the Northland Plan-Volume II area. Mixed-use development, consisting of retail and multi-family uses on this parcel, with an office-use component either on this parcel or the parcel immediately to the north, is recommended as the future land-use for this area. Any future redevelopment of these parcels should take into consideration views from the highway and surrounding land-uses.*
- *To ensure that appropriate standards pertaining to freeway exposure and surrounding land-uses are met, major commercial development of five or more acres be zoned in planned or limited districts.*
- *Land-use recommendations and standards of the Rocky Fork-Blacklick Accord (RFBA), adopted by Columbus City Council in 1997 as a planning guide for development in northeast Franklin County, be considered when reviewing re-zoning applications contiguous to the RFBA, to ensure compatibility of planning efforts.*





## general land-use guidelines

A large portion of the planning area has previously been annexed into Columbus and has some form of Columbus zoning in place. Many of these parcels, however, remain undeveloped. There are several general locations that offer unique challenges as the region continues to grow and develop.

### *It is the recommendation of Northland Plan - Volume II that:*

- *existing land-use and zoning patterns be taken into consideration when decisions are made regarding zoning changes.*
- *all relevant provisions of the Columbus Comprehensive Plan, adopted by Columbus City Council in 1993, be applied to this planning area.*
- *land-use recommendations and standards of the Rocky Fork-Blacklick Accord (RFBA), adopted by Columbus City Council in 1997 as a planning guide for development in northeast Franklin County, and Northland Plan-Volume I, be considered when reviewing rezoning applications contiguous to the RFBA, to ensure compatibility of planning efforts.*
- *the following guidelines be considered based on categories of opportunity sites:*

#### **1. Development Sites With Freeway Exposure**

- *reservation of development sites adjacent to the freeway be encouraged for their highest and best economic use.*
- *pleasing views (including buffering) from the highway be encouraged when development occurs along the interstate system.*
- *zoning be used to protect residential neighborhoods from intrusion by commercial and manufacturing uses.*
- *office and mixed-use development be encouraged on these sites as an appropriate transition use between residential and commercial development.*
- *major commercial development of five or more acres be zoned in planned or limited districts to ensure that the developments meet appropriate standards.*

## 2. Undeveloped Land Located In Residential Areas

- zoning be used to protect residential neighborhoods from intrusion by commercial and manufacturing uses.
- zoning be used to encourage new development to be sensitive to density, buffering, traffic and circulation pattern, and architectural details of the surrounding area.
- all appropriate agencies be contacted in order to reserve adequate land for parks, recreation facilities, and schools in major rezoning areas.
- infill developments compatible with their surroundings be encouraged.

## 3. Fully Developed Commercial Areas

- commercial (retail) development is encouraged to be located at major intersections rather than along arterial roads.
- office development is encouraged as an appropriate transition use between residential and commercial development.





#### **4. Unincorporated Residential Areas**

- *infill developments that are compatible with their surroundings be encouraged.*
- *infill annexation requests that reduce service-related problems caused by "islands" of township land within the city's corporate boundaries be supported.*
- *annexation proposals that reasonably can be served by city services and facilities be readily accepted.*

There are other planning issues that are not easily categorized into one of the three districts. For those issues, the following recommendations shall apply.

#### ***It is the recommendation of Northland Plan - Volume II that:***

- *when properties within this planning area are contiguous to properties covered in other plans, consideration of those plan recommendations be given to provide a seamless pattern of development between the two jurisdictions or planning boundaries.*
- *a planning process be undertaken for the area north of Central College Road and within the tributary area of the planned northern extension of the Big Walnut Sanitary Trunk, but outside the area covered by the Rocky Fork-Blacklick Accord. This subtrunk will likely be extended north from the Little Turtle area in two phases. The first phase, planned for 2004, will take the sewer to Central College Road. The second phase will extend the sewer north and then east to the intersection of Walnut Street and Lee Road, allowing for development of a substantial area. It will be important to have land-use and development guidelines in place as infrastructure is extended into the area.*



Z15-036  
5130 Morse Road  
Approximately 3.3 acres  
R (pending annexation) to C-2